

REMARKS

1. Applicant thanks the Office for its remarks and observations which have greatly assisted Applicant in responding.

2. OBJECTIONS TO THE CLAIMS

Claim 37 is objected to on the ground that it fails to further limit the subject matter of a previous Claim. Claim 37 is cancelled from the Application. The present objection is therefore deemed met.

3. 35 U.S.C. § 103

Claims 1-6, 8-9, 12-19, 21-22, 25-33, 35-47, 51-52, 55-57, 63-70, 72, 73-82, 86, 87 and 90-92 are rejected as being unpatentable over U.S. patent application pub. no 2003/0069874 ("Cheah") in view of U.S. patent application pub. no. 2003/0069874 ("Hertzog"). Applicant respectfully disagrees. Nevertheless, to describe the invention more clearly, Claim 1 is amended to incorporate a portion of the subject matter of Claim 4, "means for processing a non-subscriber user's request for sharing." Claim 1 is further amended to describe, "means for establishing a limited sharing relationship between a subscriber user and a non-subscriber user." Support for the amendment is found in the Specification of U.S. patent application pub. no. 2004/0267625, at least at ¶ 0157.

The Office relies on Cheah, fig. 18E and ¶ 0105 as teaching or suggesting means for processing a non-subscriber user's request for sharing. Applicant respectfully disagrees. FIG. 18E illustrates a representative exchange screen in which a requestor identifies (block 1104) the requested party the requestor desires to exchange profile information with. However, there is no indication in the drawing that the electronic form depicted can be used by a non-subscriber user to make a request for sharing. In fact, there is no teaching anywhere in Cheah that non-subscriber users

can issue requests to share information with subscriber-users. The Office further relies on Cheah, ¶ 0105 as teaching or suggesting "means for processing a non-subscriber user's request for sharing." Applicant respectfully disagrees. ¶ 0105 describes the exchange of information between registered users ("subscriber users"). There is no mention whatsoever that non-subscriber users can share information. While Cheah does describe, at ¶ 0079, a process for registering an unregistered requestor, there is no teaching or suggestion that unregistered requestors can request to share information. In fact, at ¶ 0084, Cheah describes the process of downloading the client application. If it is determined that the requestor is not a registered user, a registration process is triggered. Cheah expressly says, "Hence, only registered users are able to use the client-side application in its normal operating sense." Accordingly, it is incorrect that Cheah teaches "means for processing a non-subscriber user's request for sharing - unregistered users cannot even use the client application to formulate a request for sharing."

The Office also relies on Hertzog, ¶¶ 0102 and 0155 as teaching or suggesting "means for processing a non-subscriber user's request for sharing." Applicant respectfully disagrees. ¶ 0102 does describe the issuance of recruitment invitations to non-users (non-subscriber users), but the cited paragraph has nothing to do with processing a non-subscriber user's request for sharing. ¶ 0155 is further evidence that sharing of information between a subscriber users and non-users (subscriber users and non-subscriber users) is not possible within Hertzog's system. As described in ¶ 0155, if a user attempts to share information with a non-user, the system intercepts the information and, instead, issues a recruitment invitation. Only after the non-user accepts the invitation to register is the information shared. Therefore, just as in Cheah, sharing information is only possible between users (subscriber-users). Neither system processes sharing requests from non-subscriber users. In fact, it is impossible, on either system, for a non-subscribes user to even submit a sharing request. There is, therefore, no teaching or suggestion in the combination of means for processing a non-subscriber user's request for sharing. Accordingly, the present rejection of Claim 4 is

deemed improper, rendering the subject matter of Claim 4, allowable over the combination.

As Applicant has amply demonstrated, neither Cheah not Hertzog enable sharing of information between subscribed users and non-subscribed users. In both references, in order for information sharing to take place, the non-subscribed user must subscribe (register). Accordingly, there is no teaching or suggestion in the combination of "means for establishing a limited sharing relationship between a subscriber user and a non-subscriber user."

Because Claim 1 has been amended to incorporate subject matter that is neither taught nor suggested by the combination, Claim is deemed allowable under 35 U.S.C. § 103.

Claim 12 is amended in the same manner as Claim 1, incorporating parallel subject matter from Claim 15. Claim 12 is therefore allowable under 35 U.S.C. § 103 for the same reasons that Claim 1 is allowable.

Claim 25 is amended to incorporate the subject matter of Claim 41, "wherein when said publisher chooses to publish to a recipient who is not a registered member of said Internet based network, a notification along with an image of said publisher's address card is sent to said recipient via e-mail, said notification comprising a first link which enables said recipient to subscribe future modifications of said publisher's address card." The Office relies on Hertzog, Fig. 20 as teaching or suggesting the subject matter of Claim 41. Hertzog does show a user interface that allows a user to specify that a target recipient of the address card is not a registered user. However, as Applicant has previously demonstrated, Hertzog does not permit sharing of information with non-users. Thus, the intended recipient of the address card would not receive the address card until he or she had accepted an invitation to register as a user. Hertzog, ¶ 0156, describing fig. 20 contains no teaching that contradicts the prior teaching. Thus, Hertzog expressly describes a system wherein any attempt to share information with a non-user, in the manner shown in Fig. 20 is intercepted by the system so that

information sharing is only possible between users. Accordingly, the combination fails to teach or suggest the subject matter of Claim 41. Additionally, there would be no motivation for the ordinarily-skilled practitioner to combine Cheah and Hertzog to derive the subject matter of Claim 41 by combining their teachings. Both Cheah and Hertzog are engineered specifically to prevent sharing of information with non-users - to the extent, for example, that Cheah's client will not even function on an unregistered user's computer. Additionally, no embodiments that allow sharing with non-subscriber users are even mentioned or alluded to in either reference. Therefore, at least implicitly, both references teach away from the invention. The present rejection of Claim 41 is therefore improper, rendering the subject matter of Claim 41 allowable under 35 U.S.C. § 103. Because Claim 25 is amended to incorporate allowable subject matter, Claim 25 is deemed allowable.

Claim 63 is amended in similar fashion to Claim 25, incorporating the parallel subject matter of Claim 77. Claim 63 is therefore deemed allowable for the same reasons that Claim 25 is allowable.

No new matter is added by way of the foregoing amendments. Such are made only to advance prosecution of the Application in recognition of the Office policy of compact prosecution. They do not indicate agreement by Applicant with the Office's position; nor do they reflect intent to forsake Claim scope. In fact, Applicant expressly reserves the right to pursue patent protection of a scope it reasonably believes it is entitled to in future filings with the Office.

In view of their dependence from allowable parent Claims, the dependent Claims are deemed allowable without any separate consideration of their merits.

Claims 11 and 24 are rejected as being unpatentable over U.S patent application pub. no 2003/0069874 ("Cheah") in view of U.S. patent application pub. no. 2003/0069874 ("Hertzog") and further in view of "Hu." In view of the foregoing, the present rejection is deemed improper/overcome.

Claims 34, 49, 62, 71, 84 and 97 are rejected as being unpatentable over U.S patent application pub. no 2003/0069874 ("Cheah") in view of U.S. patent application pub. no. 2003/0069874 ("Hertzog") and further in view of Tornabene. In view of the foregoing, the present rejection is deemed improper/overcome.

Claims 50 and 85 are rejected as being unpatentable over U.S patent application pub. no 2003/0069874 ("Cheah") in view of U.S. patent application pub. no. 2003/0069874 ("Hertzog") and further in view of Tornabene and Chen. In view of the foregoing, the present rejection is deemed improper/overcome.

Claims 48 and 83 are rejected as being unpatentable over U.S patent application pub. no 2003/0069874 ("Cheah") in view of U.S. patent application pub. no. 2003/0069874 ("Hertzog") and further in view of Padwick and Slipstick. In view of the foregoing, the present rejection is deemed improper/overcome.

Claims 53-54, 58-59, 88-89 and 93-94 are rejected as being unpatentable over U.S patent application pub. no 2003/0069874 ("Cheah") in view of U.S. patent application pub. no. 2003/0069874 ("Hertzog") and further in view of Padwick. In view of the foregoing, the present rejection is deemed improper/overcome.

Claims 60 and 95 are rejected as being unpatentable over U.S patent application pub. no 2003/0069874 ("Cheah") in view of U.S. patent application pub. no. 2003/0069874 ("Hertzog") and further in view of Padwick and Microsoft Technet. In view of the foregoing, the present rejection is deemed improper/overcome.

For the record, Applicant respectfully traverses any and all factual assertions in the file that are not supported by documentary evidence. Such include assertions based on findings of inherency, assertions based on official notice, and any other assertions of what is well known or commonly known in the prior art.

CONCLUSION

In view of the foregoing, the Application is deemed in allowable condition. Accordingly, Applicant respectfully requests reconsideration and prompt allowance of the claims. Should the Examiner have any questions regarding the Application, she is invited to contact Applicant's attorney at 650-474-8400.

Respectfully submitted,



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